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May 29, 2008

Via Fax: 212-805-7949
Hon. Justice P. Kevin Castel
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

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MEMO ENDORSED

Re: *United National Specialty Insurance Company v. 1854 Monroe Avenue H.D.F.C. and Eulalia Balaguer*
Docket No.: 07-CV-10934
Our File: 07-544

Dear Judge Castel:

We represent United National Specialty Insurance Company in the above referenced matter. We write to request that the last day to conduct depositions given in the Case Management Plan be adjourned from May 30, 2008 without date, subject to the outcome of the pending motion.

We have filed a motion for summary judgment premised on the "legal arguments" of lack of standing and res judicata. If this motion is decided in our favor, there will be no need for us to go forward with any depositions. However, if the motion were to be denied and we need to proceed to trial on the matter, we would need to subpoena our insured, who has failed to appear in the instant action, in order to depose them and their employees as to facts relevant to this action. Therefore, we request that the Court stay depositions in this matter pending a resolution to our motion for summary judgment.

MIRANDA SOKOLOFF SAMBURSKY SLONE VERVENIOTIS LLP

HON. JUSTICE P. KEVIN CASTEL
MAY 29, 2008
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Additionally, our paper discovery is being sent to Mr. Beatty today and he agrees that there is no need for depositions to go forward at this time, however, would like to reserve his right to conduct depositions at a later date, should they be necessary.

As we do not know when the motion will be decided, we cannot offer a specific date to which the completion of depositions should be adjourned.

We have made no previous requests to adjourn the date by which depositions should be completed.

Respectfully submitted,
MIRANDA SOKOLOFF SAMBURSKY SLONE VERVENIOTIS LL

Steven Verveniotes (SV 8800)

cc: Bv Fax
Michael C. Beatty
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*Conference revisited scheduled for July 18 at 11 am.
Discovery is stayed except on any issue relating to lack of standing or the res judicata defense which shall be completed by July 17, 2008.
S O A R P E R O D.
JSP J
5-29-08*